

REMARKS

Claims 1 – 40 are pending. In the above-identified Office Action, the Examiner rejected Claims 1 – 27 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 18 – 22 and 37 – 39 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 2, 4, 5, 12 – 17, 25, 26, 28, 29, 31 and 34 – 36 were rejected under 35 U.S.C. § 102(b) as being anticipated by Paton (EP 0822524 A). Claims 27 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paton. Claims 18, 19, 23, 24, 37 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paton in view of LoBiondo *et al.* ('199). Claims 7 – 11 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paton in view of Cohen (2003/0097331). Claims 1, 2, 4, 5, and 12 – 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over LoBiondo *et al.* in view of Paton. Claims 20 – 22, 28, 29, 31 and 34 – 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over LoBiondo *et al.* in view of Paton and further in view of Hikawa ('065). Claims 1, 3, 4, 6, 12 – 17, 25, 26, 28, 30, 32 and 34 – 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagira *et al.* ('585) in view of Paton.

By this Amendment, Applicants have amended Claim 1 to address the rejections thereof under 35 U.S.C. § 101, 102 and 103(a). In this connection, Claim 1 has been amended to include the limitations of Claims 3 and 6. Claim 28 has been amended to include the limitation of Claim 32. Claims 3, 6 and 32 have been canceled and new Claim 41 has been added which tracks Claim 23.

As to the rejection of Claims 18 – 22 and 37 – 39 under 35 U.S.C. § 112, second paragraph, the Examiner's attention is directed to the subject Specification, specifically the Summary of the Invention, for a discussion of the terms "reserve" and "depletion factor". As these terms are used in a conventional manner, the Examiner's objection thereto is not understood. Further clarification is requested if the issue is not deemed adequately addressed above.

In the rejection of Claims 3, 6 and 32, the Examiner relied on Nagira and Paton in support of the rejection under 35 U.S.C. § 103(a). However, with respect to the limitations of Claims 3, 6 and 32, the Examiner did not identify where in either reference a teaching is provided with respect to a method or system for monitoring of component wear and/or the comparison of such wear with wear rate profile data, *inter alia*, as set forth in the claims as amended.

Hence, the present claims should be allowable. Reconsideration, allowance and passage to issue are respectfully requested.

Respectfully submitted,
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